

1 BARRY J. PORTMAN
Federal Public Defender
2 JOHN PAUL REICHMUTH
Assistant Federal Public Defender
3 555 - 12th Street
Suite 650
4 Oakland, CA 94607-3627
Telephone: (510) 637-3500
5
Counsel for Defendant CULLUM
6
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR 02-40190-CW
)	CR 02-40176-CW
12 Plaintiff,)	CR 09-0835-CW
)	
13 vs.)	STIPULATION TO CONTINUE;
)	PROPOSED ORDERING CONTINUING
14 JOHN BENNETT CULLUM,)	CASE AND EXCLUDING TIME UNDER
)	THE SPEEDY TRIAL ACT
15 Defendant.)	
)	

16
17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the
18 STATUS HEARING date of February 1, 2010 presently scheduled at 10:00 a.m., before the
19 Honorable Laurel Beeler, be vacated and re-set for February 22, 2010 at 10:00 a.m. for TRIAL
20 OR MOTIONS SETTING OR DISPOSITION HEARING.

21 The reason for this request is that defense counsel needs additional time to review
22 discovery, investigate, and discuss this case with Mr. Cullum. Additionally, new government
23 counsel is taking over the case. The Probation Office has been contacted and does not object.

24 The parties agree and stipulate that the time until February 22, 2010 should be excluded,
25 under 18 U.S.C. §3161(H)(7)(A) because the ends of justice served by the granting of the
26 continuance outweigh the best interests of the public and the defendant in a speedy and public

1 trial. The continuance is necessary to accommodate counsel's preparation efforts.

2 _____ /s/
3 Date 1/28/10 John Paul Reichmuth
4 Assistant Federal Public Defender
5 Counsel for defendant CULLUM

6 _____ /s/
7 Date 1/28/10 Brian C. Lewis
8 Assistant United States Attorney

9 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

10 _____ /S/ John Paul Reichmuth
11 Counsel for Defendant Cullum

ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matters are continued to February 22, 2010 at 10:00 a.m. before Hon. Laurel Beeler, United States Magistrate Judge, and that time is excluded from February 1, 2010 to February 22, 2010 pursuant to 18 U.S.C. §§3161(h)(7)(A).

IT IS SO ORDERED.

1/29/2010
Date

/s/ Laurel Beeler
HON. LAUREL BEELER
UNITED STATES MAGISTRATE JUDGE